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2 UNITED STATES DISTRICT COURT

3 DISTRICT OF NEVADA

4  
5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 vs.

8 JESUS ANTONIO DIAZ-FLORES,

9 Defendant.

10 Case No.: **2:15-cr-114-APG-PAL**

11 **FINDINGS OF FACT, CONCLUSIONS OF**  
**LAW, AND ORDER**

12 **FINDINGS OF FACT**

13 1. The client is in custody but does not oppose the continuance.

14 2. The additional time requested herein is not sought for purposes of delay, but merely  
15 to allow counsel for the defendant sufficient time receive and review the expedited transcripts of the  
16 evidentiary hearings held on August 4, 2015 and August 20, 2015.

17 3. Denial of this request for continuance would deny counsel for the defendant sufficient  
18 time to effectively and thoroughly prepare and submit objections, taking into account the exercise  
19 of due diligence.

20 4. Additionally, denial of this request for continuance could result in a miscarriage of  
21 justice. The additional time requested by this stipulation is excludable in computing the time within  
22 which the trial herein must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A),  
23 considering the factors under Title 18, United States Code §§ 3161(h)(7)(B).

24 5. This is the first stipulation to extend objections

25 Based on the pending Stipulation of counsel, good cause appearing therefore, the Court finds  
26 that the ends of justice and judicial economy are best served by granting said continuance.

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## **CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, §§ 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, § 3161 (h)(7)(A), when considering the facts under Title 18, United States Code, §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

## **ORDER**

IT IS THEREFORE ORDERED, that the Objections to Magistrate Recommendation (CR # 25) be extended one month from the presently set September 12, 2015 to and including October 13, 2015.

DATED 2nd day of September , 2015.

  
UNITED STATES DISTRICT JUDGE